

Non-Discrimination on the Basis of Disability

§ 504 Identification, Evaluation and Placement Procedure of Students.

A. General

The Director of Special Programs, who shall act as Coordinator, is responsible for locating and identifying disabled students. In furtherance of this policy the Coordinator shall ensure:

1. Students with disabilities are located.
 - a. Efforts are to be made annually to locate and identify qualified students with disabilities residing in the school division who are not presently receiving a public education.
 - b. Notice of the availability of services and the types and location of services are to be sent to nearby private schools, pediatricians and the Health Department.
2. Parents or guardians of children with disabilities are to be given notice of their rights.
 - a. Parents or guardians of children with disabilities are to be notified of their rights at least annually and, in all cases, prior to evaluation and placement.
 - b. Parents or guardians of children with disabilities are to be notified of their rights prior to any significant change in placement.
3. Appropriate educational opportunities are to be made available to students with disabilities.
 - a. Each qualified student with disabilities is entitled to a free appropriate public education.
 - b. To the maximum extent appropriate, the student with disabilities shall be educated with the non-disabled.
 - c. Evaluations of the student are to be made prior to providing services.
 - d. Periodic reevaluations are to be made when necessary, and, in every case, prior to a significant change in program.

(continued)

Non-Discrimination on the Basis of Disability

4. Hearing procedures shall be available in the event of a dispute.

(a) The School Board or parents or guardians may request a hearing over disputes concerning the identification, evaluation or educational placement of persons who because of disability need, or are believed to need special instruction or related services.

5. Procedural safeguards shall include notice of:

- (a) the right of access to educational records;
and
- (b) the availability of an impartial hearing

B. Identification and Evaluation

1. Those individuals of school age residing in the school division suspected of having a disability shall be referred to the Coordinator.

2. The Coordinator shall see that an evaluation of the student's educational needs is made if it appears that the student may have a disability.

3. The evaluation may consist of some of all of the following written components as determined appropriate by the Coordinator:

- a. medical
- b. psychological
- c. educational
- d. socio-cultural
- e. others appropriate to the student's suspected disability.

4. Tests utilized for the evaluation process must be properly validated, administered by trained personnel, and assess areas of educational needs.

5. The evaluation and identification process must be completed within sixty-five (65) administrative working days of the referral.

6. Following completion of the evaluation, a Section 504 Evaluation Committee shall meet. The Evaluation Committee shall be composed of individuals who represent the various evaluation components and others

(continued)

Non-Discrimination on the Basis of Disability

as designated by the Coordinator. Some of the members must be familiar with the student.

7. The parents shall be encouraged to present information relevant to the identification issue for consideration by the Evaluation Committee.

8. The Section 504 Evaluation Committee is responsible for determining the following:

- (a) whether the student has a disability.
- (b) the type of disability; and
- (c) the effect of any disability on the student in the school setting.

9. Minutes of the Section 504 Evaluation Committee Meeting shall be maintained setting forth the justification for the decision.

10. Parents may be invited at the discretion of the Coordinator, to attend the Section 504 Evaluation Committee meeting.

C. Placement

1. For students who are identified as disabled by the Section 504 Evaluation Committee, a Section 504 Educational Plan ("Section 504 Plan") shall be developed to incorporate the services that the student requires in the educational setting.

2. The Section 504 Plan shall be developed with the participation of the parent, a school administrator, and a teacher.

3. If the parent attends the Section 504 Evaluation Committee meeting, the Section 504 Plan may be developed at that time by the Evaluation Committee.

4. The Section 504 Plan shall be developed within thirty (30) day of identification of the student by the Section 504 Evaluation Committee.

5. No placement in special services may be made prior to the development of the Section 504 Plan.

6. Changes in placement for identified students with disabilities which result from disciplinary action shall be handled pursuant to the procedures utilized for the students identification as disabled under the EHA.

Approved by the Superintendent: February 12, 1991

Amended by the Superintendent: March 12, 1996